5th December 1947]

APPENDIX V.

[Vide item II (5) on page 103 supra.]

A Bill to amend the Madras Marumakkattayam Act, 1932.

(As passed by the Assembly.)

Madras Act XXII of 1933.

WHEREAS it is expedient to amend the Madras Marumakkattayam Act, 1932, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Marumakkattayam (Amendment) Act, 1947.

Madras Act XXII of 1933.

Amendment of section 4 of Madras Act XXII of 1933.

2. In the Madras Marumakkattayam Act, 1932 (hereinafter referred to as the said Act), in section 4, sub-section (1), clauses (*b*) (i) and (*b*) (iii), the words "and is subsisting on such date" shall be omitted.

Amendment of section 6 of Madras Act XXII of 1933.

3. (1) In section 6 of the said Act, in the opening paragraph, after the words "may be dissolved", the words "on or after the date on which this Act comes into force" shall be inserted;

(2) To the same section, the following paragraph shall be added at the end, namely :—

"Nothing contained in this section shall be deemed to invalidate any dissolution of the marriage effected before the date on which this Act comes into force, in accordance with the custom prevailing in the community to which the parties belong or either of them belongs."

Insertion of new section 16-A in Madras Act XXII of 1933.

4. After the same section, the following section shall be inserted, namely :—

Rights of children of marriage, etc., not affected by dissolution of marriage.

"6-A. The dissolution of a marriage which is valid under section 4, whether by death or otherwise and whether before or after the commencement of this Act, shall not affect in any way the legal status or rights under this Act of the children of such marriage or of their descendants."

Amendment of section 50 of Madras Act XXII of 1933.

5. In section 50 of the said Act, clause (*a*) and the brackets and letter "(*b*)" shall be omitted.

Amendments to have retrospective effect except in certain cases.

6. The amendments made by this Act shall be deemed to have been made in the said Act immediately before the passing thereof:

Provided that nothing contained in this Act shall affect—

(*a*) any decree or order of a competent Court which became final before the commencement of this Act, or

(*b*) any sale which was held in execution of a decree or an order of a competent Court and which became final before the commencement of this Act, or

(*c*) any transfer or partition of property effected before the commencement of this Act.